

Stanford Center for Racial Justice

# Annual Report



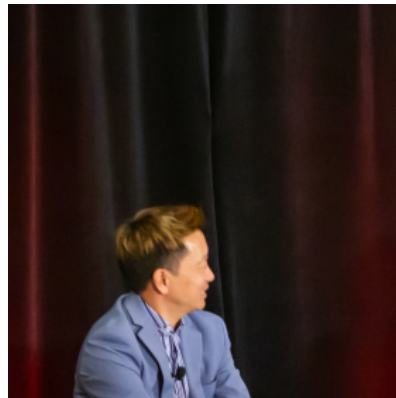
**Impactful** Legal and  
Policy Research. **Big** Ideas.  
**Thought-Provoking** Conversations.  
*Undermining Ignorance and Certainty.*

**2023-2024** Academic Year

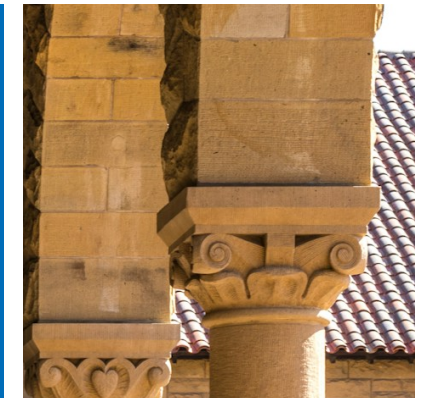


# In 2023 – 2024

46



Created **Law and Policy Lab** focused on rethinking higher education and launched new project: **Private Universities in the Public Interest**

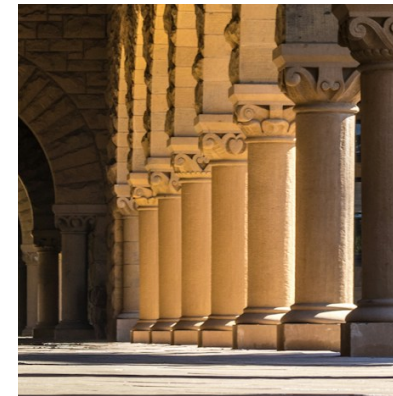


Law students, graduate students, and undergraduate students contributed to the Center's research, analysis, and programming



14

Thought-provoking events hosted or co-sponsored



Released comprehensive **Model Policy on Use of Force** for U.S. police officers



## Letter from the Faculty Director

This past academic year has reinforced my belief that our nation desperately needs what the Stanford Center for Racial Justice seeks to provide. After the May 2020 killing of George Floyd unleashed a torrent of activism and prompted a racial reckoning throughout American society, myriad institutions committed themselves to antiracism and DEI. Now, four years later, some state legislatures have acted to restrict the teaching of race-related subjects, the Supreme Court has signaled its commitment to a colorblind interpretation of the Constitution and federal statutes, and many of the corporate commitments to DEI and antiracism have evaporated.

The Stanford Center for Racial Justice has become a trusted source of unbiased information and analysis of some of the most contentious and consequential race-related issues in American society. Mindful of the complexity of many contemporary conflicts, I sometimes describe the Center as undermining both ignorance and certainty. Our research also provides the basis for the identification and implementation of practical policy reforms.

This Annual Report describes our efforts during the past academic year. We have undertaken a number of initiatives that we hope to grow into long-term commitments of the Center. We partner with organizations and faculty members throughout the university: from Stanford Law School's Human Rights Clinic and its Constitutional Law Center to leading researchers at the Graduate School of Education and the Graduate School of Business.

We engage with students from across the campus as well. The contributions of a wide array of students are woven throughout our work. Our law student interns work alongside undergraduates and other graduate students on almost every project we undertake. Bringing students together across different disciplines and different points in their intellectual and professional development has been especially beneficial for the students and for our work.

The most important purpose of this letter is the last: to say THANK YOU for your support of our work. We deeply appreciate it. Feel free to be in touch to discuss any aspect of the Center's programming or projects about which you'd like to learn more.



Ralph Richard Banks  
*Co-Founder and Faculty Director*  
*Jackson Eli Reynolds Professor of Law*

# Annual Report

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## Our Team

# After Affirmative Action

Since the U.S. Supreme Court’s June 2023 ruling striking down the use of race-based affirmative action in college admissions, we have taken both a narrow and broad approach in addressing the decision and the challenges facing colleges and universities. We have been convening leading scholars to discuss the path forward for higher education institutions, analyzing the uncertain legal and policy landscape, and sharing our analysis and insights to guide policymakers, institutions, and college-bound students and their families.

The Center’s law student and undergraduate interns analyzed the implications of the Court’s *Students for Fair Admissions* ruling and researched cases involving race-conscious policies in the litigation pipeline.



## Convening Stanford Scholars to Dissect Court’s Decisions

One day after the Court issued its *Students for Fair Admissions* decisions, we convened a panel of leading constitutional law and race scholars to explain the rulings to the university community and beyond. During the discussion, Stanford law professors evaluated the Justices’ reasoning and motivations in the majority, concurring, and dissenting opinions and explored whether a hypothetical program designed to benefit the descendants of enslaved people might survive constitutional scrutiny.

## Analyzing Post-Affirmative Action Landscape in Series of Publications

Over the fall, our team analyzed the evolving post-affirmative action landscape, releasing a set of practical resources. In a Q&A about the state of higher education, Faculty Director Ralph Richard Banks explained how the system—increasingly touted as the pathway to the “American Dream”—is broken with elite universities becoming ever more selective and exclusive. Institutions, Banks suggested, could see the *Students for Fair Admissions* decisions and the ensuing litigation, as less of a threat and more of a prompt to rethink their approaches and goals and pursue creative solutions.

The fall also marked the start of the first college admissions cycle following the Court’s ruling. Students questioned whether they could mention race in their applications, administrators wondered how to pursue diversity in their incoming classes, and policymakers debated the scope of the ban on race-conscious regulations. In response, Director of Education and Opportunity Hoang Pham and Imani Nokuri (JD ’25) published an ‘Explainer’ designed to clarify the key issues, legal arguments, and continuing implications of the decision.

## Researching the Evolution of America’s Higher Education System for Forthcoming Book

In support of Banks’ forthcoming book on rethinking America’s higher education system, students researched topics ranging from university founding documents, federal tax expenditures, and rapidly growing endowments to standardized testing trends and the impact of the GI bill on colleges and universities.



## Developing *Students for Fair Admissions* Law & Policy Lab

In the aftermath of the *Students for Fair Admissions* decision, we designed and launched a Law and Policy Lab—comprised of 12 law students, graduate students, and undergraduate students—to rethink the relationship between higher education institutions and the American people.

## Creating Law and Policy Practicum to Rethink Higher Education

In Fall 2023, Faculty Director Ralph Richard Banks joined with Stanford sociologist Mitchell Stevens at the Graduate School of Education and Center directors Hoang Pham and Dan Sutton to lead a Law and Policy Lab at the Law School to reconsider the responsibilities of private universities to the American public. The Lab, whose work continued into Spring 2024, took up the question facing universities across the country: What's next after the Supreme Court upended nearly a half century of legal and policy precedent? Working with a group of a dozen students from the Law School, the Graduate School of Education, the School of Humanities and Sciences, and undergraduate programs across campus—including data science and social systems, management science and engineering, and political science—the Lab probed topics like selective admissions, endowments, and the connectivity between America's K-12 system, community colleges, and four-year institutions.

## Launching Private Universities in the Public Interest Project

America's leading private colleges and universities are among the most prominent in the world, yet they are currently embattled and face unprecedented levels of skepticism and distrust. Building on the work of the Policy Lab, Professors Banks and Stevens and Stanford historian Emily J. Levine, also at the Graduate School of Education, designed a new initiative, the Private Universities in the Public Interest project, that seeks to revisit and revise the relationship—the social contract—between private universities and the American people. We see this problem as a once-in-a-generation opportunity to lead a national dialogue about renegotiating the contract so that the nation's leading higher education institutions can make new and ambitious contributions to the benefit of the American people.

# Advising International Policymakers on AI and Race

We partnered with the Law School's International Human Rights and Conflict Resolution Clinic to advise the UN Special Rapporteur on Contemporary Forms of Racism about issues related to AI, racial discrimination, and education.



## Analysis for UN Policymakers on AI, Race, and Education

We joined with Stanford Law School's International Human Rights and Conflict Resolution Clinic to advise the United Nations Special Rapporteur on Contemporary Forms of Racism, Ashwini K.P., in navigating issues posed by the rapid adoption and use of AI in education, particularly those relating to race and racial discrimination. Over the course of several weeks in Spring 2024, a team of students from our Center—Isabelle Rose Coloma ('24), Tanvi Kohli (JD '26), Emily Olick Llano (MA '24), and Imani Nokuri (JD '25)—and students in the Clinic researched the rise of AI in education, identifying a growing set of legal, technological, and policy challenges. The students interviewed educators, entrepreneurs, scholars, policy professionals, researchers, and technologists to hone their understanding of the technology, its limitations, and its real-world applications.

With this grounding in the role of AI in education, our team drafted an analysis of the challenges and opportunities presented by AI for a forthcoming thematic report from the Special Rapporteur to the UN General Assembly and Human Rights Council. From the use of predictive algorithms in school admissions to biases in large language models and the proliferation of surveillance-focused education technology, we examined how AI introduces a new range of complicated issues. For policymakers, we proposed a set of recommendations to prevent racial discrimination in education as well as proactively use AI advances to promote learning and development.

# Policing, Justice, and Community Safety: Developing a Model Use of Force Policy

We released a model policy designed to provide communities with the most comprehensive guidance on the use of force by police. The Model Policy's 10 policy modules draw from extensive research into policing and public safety, mental and behavioral health, as well as policy best practices around the country.

## Publishing Comprehensive Model Policy on Use of Force

We released 10 detailed Policy Modules featuring comprehensive policy language and explanatory materials covering a wide range of use of force areas—from pursuits to weapons and de-escalation strategies. Feedback and insights from police leaders, patrol officers, community advocates, and civil rights litigators were crucial in refining the Model Policy's modules. The policy's responsiveness to policing practices and the lived experiences of officers and civilians alike has already shaped and influenced policy conversations in Illinois, Louisiana, New Mexico, Tennessee, and Virginia.

## Implementing Model Policy in Southern Police Department Under Federal Oversight

We have partnered with a police department in a southern state, currently under oversight by the U.S. Department of Justice for the department's unconstitutional policing practices, to reform its use of force regulations based on the Model Policy. Director of Justice and Safety Dan Sutton and Andrew Baker (JD '26) worked closely with local law enforcement leaders and city attorneys to revise and rewrite the department's force policies using the leading practices identified in the Center's research.

## Analyzing Policies from 100 Largest U.S. Cities and Building Interactive Database

Our research team—including Riley Burton (JD '25) and Isabelle Rose Coloma ('24)—collected, reviewed, and analyzed use of force policies from police departments in the 100 largest U.S. cities. Law students and undergraduate students working on the project compared and evaluated thousands of policy provisions, reviewing more than 11,000 pages of policy documents. We are building an interactive database that will enable community members, police officials, and policymakers across the country to compare their local policies with leading practices and our Model Policy.



The release of the Model Policy culminates 2+ years of research and analysis, feedback, and editing by our team including 10+ law students and undergraduate students.



## Research and Analysis on Key Law and Policy Issues

We researched and analyzed key law and policy issues ranging from the California Racial Justice Act of 2020, innovative alternatives to police response in the Bay Area, and developments in the design and implementation of DEI initiatives.

### Analyzing the California Racial Justice Act of 2020

When state court judges started finding violations of California's Racial Justice Act and removing gang enhancements because of racially biased policing, our team delved into the recently passed law. Director Hoang Pham and Amira Dehmani ('24) analyzed how the Act expands the ways a defendant facing charges can show discrimination in the investigation and prosecution of a criminal case. Some observers, however, view the law's approach to rooting out racism at odds with crime fighting efforts and our analysts explained the ongoing debate.

### Exploring Innovative Approaches to Community Safety

We examined new initiatives underway in Bay Area cities to reimagine public safety services and systems. Research Associates Fatima Dahir and Mira Joseph dug into these nascent programs, interviewing policymakers, unpacking recent research, and analyzing early results. From San Francisco's teams of non-police first responders to Berkeley's plan for enforcing its traffic laws with civilians, our team uncovered the issues and challenges that will determine whether these ideas spread to other communities.

### Unpacking the Challenges with America's DEI Efforts

We studied the growing challenges with designing and implementing DEI programs across wide swaths of American society. From differences in program quality and uncertain evidence about effectiveness, to rising legal and political impediments, our team of law and undergraduate students analyzed the performance, resistance, and evolving strategies of these initiatives.



# Thought-Provoking Conversations

We brought together thinkers, scholars, and practitioners with diverse perspectives to explore some of the most contentious and consequential issues at the intersection of race, law, and policy in American society.



## Race, Originalism, and Affirmative Action

We joined with the Stanford Constitutional Law Center to bring together constitutional scholars Kim Forde-Mazrui (University of Virginia School of Law) and Michael McConnell (Stanford Law School) to probe the role of history and the original meaning of the Constitution in deciding contested questions of constitutional interpretation involving race. Faculty Director Ralph Richard Banks moderated the discussion, which brought out the differing perspectives of Forde-Mazrui and McConnell on how history does and should bear on the constitutionality of race-based affirmative action in contemporary society.

## The Courts and *Brown v. Board of Education's* Unfinished Legacy of Desegregation

In another conversation moderated by Professor Banks and co-sponsored by several Stanford race, law, and education organizations, Kimberly Robinson (University of Virginia School of Law), Robert Kim (Education Law Center), and Myron Orfield (University of Minnesota Law School) explored the state of racial and economic segregation in American schools at the 70th anniversary of the Supreme Court's landmark ruling. The panelists discussed strategies for advancing desegregation through federal and state courts while debating the effectiveness of charter schools and their impact on the broader education system.

## Professionalism and Racism in Legal Practice

With Stanford Law School's Rhode Center on the Legal Profession and Levin Center for Public Service, we convened Leah Goodridge, the author of "Professionalism as a Racial Construct," attorney Misasha Suzuki Graham, and Stanford Criminal Defense Clinic Director Ron Tyler to examine the connection between racism and professionalism in the legal profession. Moderator Richard Thompson Ford (Stanford Law School) and audience members prompted a dialogue with differing views about whether attorneys facing racism masked as unprofessional criticism should embrace entrepreneurialism and depart firms with outdated practices or call out bias when it occurs.

# Tracking the Debate Over Colorblindness and Antiracism

In Fall 2023, we launched a project to track the escalating legal and policy debate that pits colorblindness—as spotlighted in the Supreme Court’s ruling striking down affirmative action—against antiracist approaches that have gained traction in recent years and are now shaping conversations across many parts of society.

## From K-12 to Higher Education, Schools Grappled with the Challenges and Politics of Diversity Efforts

Our team chronicled the emergence of high school math classes voluntarily segregated by race, laws prohibiting discrimination against hairstyles worn by Black students, and race-based legal challenges to admissions programs at elite public high schools in Boston and northern Virginia. Jade Araujo ('24) and Deliah Appiah Mensah (JD '26) analyzed efforts by Florida, Texas, and Wisconsin to ban and defund university DEI offices and curtail academic approaches such as critical race theory. As controversial topics like legacy admissions and diversity statements in faculty hiring came under increasing scrutiny, we examined efforts to reshape the role and impact of race in higher education.

## The Business World Resisted and Responded to New Legal Scrutiny of DEI initiatives

We followed efforts by conservative legal activists to upend the business world’s approach to diversity, equity, and inclusion, documenting lawsuits against Wall Street banks and investment funds over race-conscious policies. When big law firms and pharmaceutical giants faced challenges to their diversity hiring initiatives, Caleb Robinson ('24) and Fatima Dahir discussed the legal arguments underlying the cases as well as developments like Nasdaq’s finalization of a rule promoting corporate board diversity.

## Government Initiatives Continued to Aid Diverse Americans

We examined contentious provisions in the federal government’s semiconductor program designed to promote diversity as well as the debate around new and revised Census categories for “Middle Eastern or North African” and “Hispanic or Latino” people. In California, Arundathi Nair ('24) analyzed new guidelines on race-blind charging by prosecutors from the state’s Attorney General, while we followed a challenge from conservative activists to a San Francisco program aiming to reduce Black mortality from childbirth and to state legislators’ pursuit of reparations programs.



In our *Racial Justice Weekly* publication, law students and undergraduate students highlighted and analyzed more than 50 different legal and policy developments over the course of the year.

# In the News

Faculty Director Ralph Richard Banks shared his insights and expertise with media outlets across the country.

June 23, 2023

Assessing Justice Ketanji Brown Jackson's first term on the Supreme Court in the *ABA Journal*:

**“She has hit the ground running. She seems to have already found her voice, both literally in oral arguments and in her opinions.”**

January 28, 2023

Discussing the deadly beating of Tyre Nichols by five Black police officers from the Memphis Police Department in *USA Today*:

**"Black people and Black police officers can carry with them some of the same understandings or views of Black people as white police officers might. There's nothing that immunizes them."**

October 31, 2023

Discussing an opinion by Kentucky Attorney General Daniel Cameron—and similar efforts by other Republican attorneys general—broadly interpreting the Supreme Court's ruling on affirmative action on *Kentucky Public Radio*:

**“They're not interpreting the Supreme Court's decision, so much as they are anticipating subsequent decisions based on this one. That's why some people are worried about what's going to happen and other people are enthusiastic.”**

February 11, 2024

Discussing DEI critics—including hedge fund manager and Harvard donor Bill Ackman who mounted a public crusade against the initiatives—with the *Washington Post*:

**“[Ackman] is well-intentioned, but he can recreate the same us-vs.-them dynamics that are at the root of so many of these problems...There is good DEI and bad DEI. But what these people are doing is saying, let's scrap the whole thing, and that's clearly an overcorrection.”**

March 7, 2024

Explaining in the *New York Times* how DEI programs and offices in higher education institutions can be:

**“A way to offload responsibility from the rest of the university and take pressure off them for what actually could be substantive policies that are harder and more expensive.”**

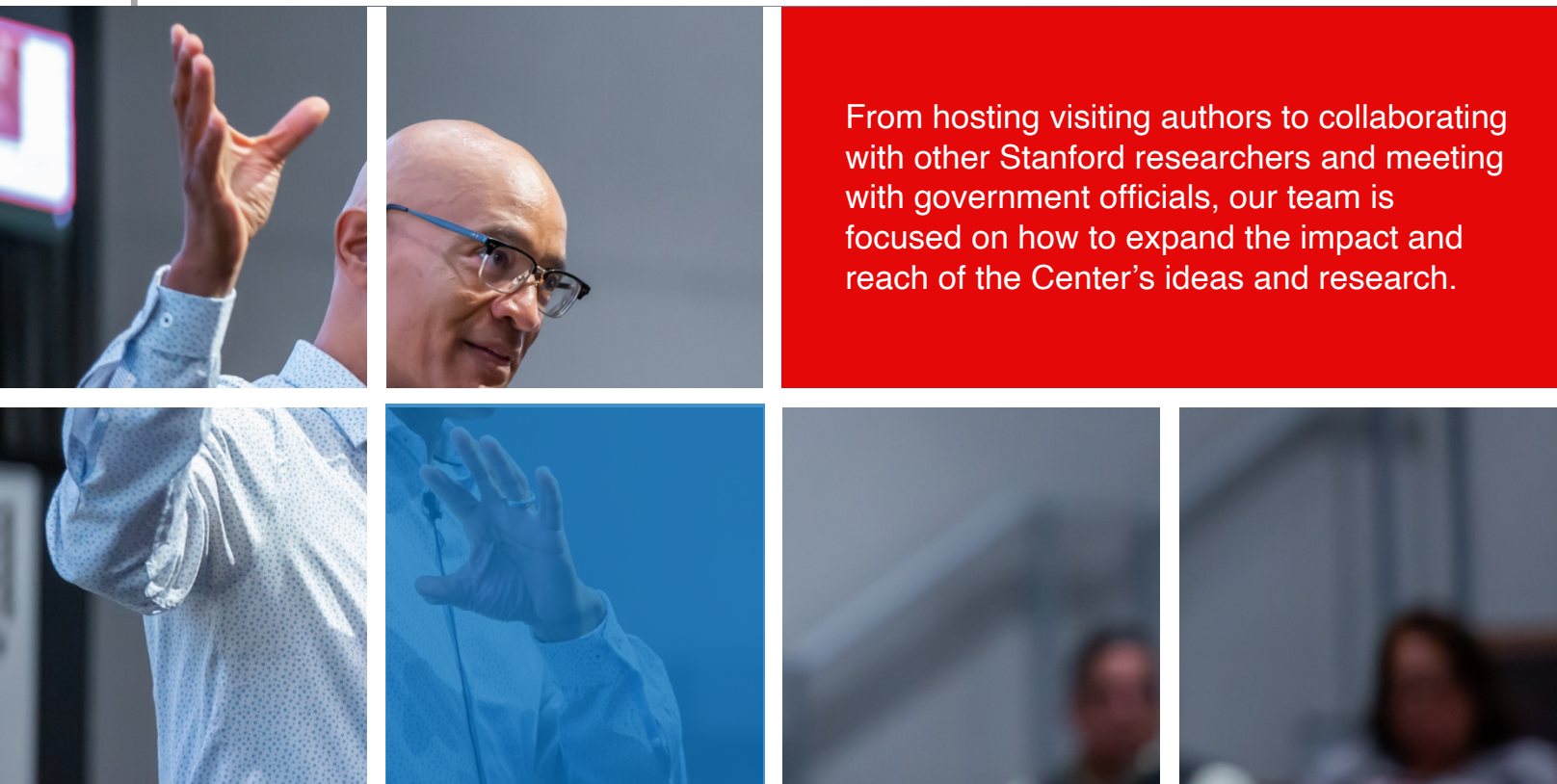
February 29, 2024

Discussing the broad scope of new Alabama legislation banning DEI offices at public schools and universities as well as school-sponsored programs that advocate for a “divisive concept” with *Bloomberg*:

**“Usually when a bill is vague, you assume they want it to be vague. People don't want to go to jail, so when they don't know what a law prohibits, they might refrain from doing lots of stuff that should still be legal.”**

# Engaging with Scholars, Stanford, and Society

We hosted scholars from across the nation, partnered with Stanford centers and programs on a range of impactful initiatives, and engaged with community, civil society, and government organizations on pressing issues.



From hosting visiting authors to collaborating with other Stanford researchers and meeting with government officials, our team is focused on how to expand the impact and reach of the Center's ideas and research.

## Hosting Scholars to Discuss New Research

Over the year, we hosted authors on campus to discuss their latest publications relating to race, law, and public policy:

- Lerone Martin, Professor and Director of the Martin Luther King, Jr. Research and Education Institute at Stanford on his book *The Gospel of J. Edgar Hoover: How the FBI Aided and Abetted the Rise of White Christian Nationalism*
- Leta McCullough Seletzky on her memoir, *The Kneeling Man*, telling the story of her father, a Black undercover police officer who knelt by the assassinated Dr. King.
- Lenore Anderson, the President of the Alliance for Safety and Justice, on her book, *In Their Names*, which challenges the conventional wisdom that prosecutorial approaches benefit crime victims
- Evan Mandery, Professor at John Jay College of Criminal Justice, on his book *Poison Ivy: How Elite Colleges Divide Us*.

## Partnering with Stanford Organizations on Impactful Projects

We partnered with organizations across Stanford to pursue research, law, and policy projects. With the Law School's International Human Rights and Conflict Resolution Clinic, we developed recommendations for the UN Special Rapporteur on Contemporary Forms of Racism. Through a collaboration with the Haas Center for Public Service, we brought on two student fellows to research education and public safety issues. We also joined with the behavioral scientists at Stanford SPARQ to launch a research and policy project focused on policing and the analysis of body-worn camera footage.

## Reaching Beyond Campus to Community Groups, Civil Society Organizations, and Governments

Our team engaged with a broad range of community groups and policy advocates. From the Bay Area community leaders in the Haas Center's SEERS fellowship program to nonprofit organizations in Silicon Valley and Southern California, our outreach efforts expanded the Center's network. We regularly met with state and local government officials to discuss the Center's research and explore opportunities for collaboration. Additionally, we hosted organizations like the Asia Foundation which brought its international cohort of LeadNext fellows to Stanford to discuss racial justice initiatives.



"In the future, I really want an environment to work in similar to the Center for Racial Justice because everyone is just so involved, kind, and caring and wants you to succeed."

**Jade Araujo ('24)**  
incoming 1L at Harvard Law School

"Working at the Center for Racial Justice is a worthwhile experience because it's a place where you can dig into your interests in ways that you're often unable to in law school."

**Evan Engel (JD '24)**  
incoming associate at WilmerHale

## Student Programs

We grew our Internship, Policy Practicum, and Fellowship programs to engage with law students, other graduate students, and undergraduate students throughout Stanford University.

### Internship Program

Each quarter we host law students, graduate students, and undergraduates in our Internship Program, which offers students an opportunity to engage in real-world law and policy issues related to race and justice. In addition to supporting the Center's research and policy work—which can range from drafting research memos to interviewing community stakeholders—interns engage in activities to build a community of peers from across campus dedicated to the advancement of racial justice at Stanford and beyond. Our Law and Policy Workshops serve as a cornerstone of the Internship Program, featuring experienced practitioners and Stanford faculty members who offer students unique insights into cutting edge law and policy issues and provide career guidance for those pursuing a legal education.

### Policy Practicums

The Center's Policy Practicums are courses that investigate the role of law and policy in perpetuating or dismantling racial disparities and explore recent legal decisions and policy initiatives impacting racial justice. Practicum students delve into research involving real-world issues and develop policy recommendations for stakeholders, learning valuable technical skills applicable for law and policy careers. Our Practicums allow students to engage in open and respectful discussions, be exposed to diverse perspectives, and think critically and empathetically about the complexities of race in America. This year we offered two practicums:

- Racial Bias and Structural Inequality in the Law – with Professor Jordan Starck of the School of Humanities and Sciences
- What's Next After *Students for Fair Admissions?* – with Professor Mitchell Stevens of the Graduate School of Education

### Summer Fellowship Program

Our Summer Fellowship Program hosts full-time law, graduate, and undergraduate students to research contentious and challenging questions related to race and justice. During Summer 2023 we hosted two inaugural fellows, supported with funding from the Haas Center for Public Service, and in Summer 2024 the Center is hosting a cohort of four fellows.

## The Stanford Center for Racial Justice

The Stanford Center for Racial Justice works to counter racial division and political polarization through rigorous research and thought-provoking conversations that explore the racial dimensions of some of the most contentious and consequential issues facing America today. Our vision is to build a society free from race-driven polarization and inequality—a society where people recognize the far-reaching effects of racism and its intersection with economic inequality and understand that taking on these challenges requires the ideas and efforts of people with diverse backgrounds, perspectives, and ideologies.

To advance racial justice, we have designed a distinct model that guides our initiatives. We function as a research, writing, and dissemination engine for transformative ideas. We produce analyses and facilitate conversations that examine some of America’s most pressing controversies. And we aim to provide trustworthy insights for those seeking to comprehend the racial dimensions of divisive issues in our nation, particularly where these intersect with economic inequality, educational opportunity, and safety and wellbeing.

## Support for the Center

We are grateful for the generosity of those who provide support to make our work possible. Their commitment to advancing racial justice and fostering understanding empowers us to drive meaningful progress, counter racial division, and tackle the complex challenges facing America.

The Center welcomes gifts [made online](#). Please contact us at [scrj@law.stanford.edu](mailto:scrj@law.stanford.edu) with questions.

## Our Team

**Ralph Richard Banks**  
Co-Founder and Faculty Director

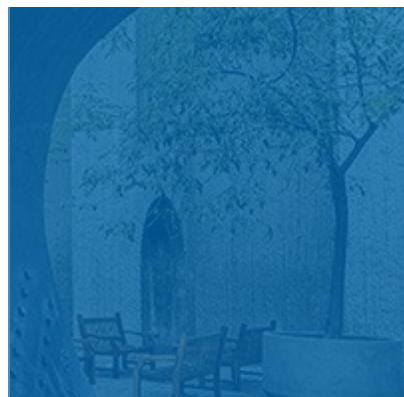
**Hoang Pham**  
Director, Education and Opportunity

**Dan Sutton**  
Director, Justice and Safety

**Dionna Rangel**  
Administrative Coordinator

## Interns and Fellows

**Jade Araujo** ('24)  
**Isabelle Anzabi** ('24)  
**Andrew Baker** (JD '26)  
**Riley Burton** (JD '25)  
**Isabelle Rose Coloma** ('24)  
**Nylah Custalow** (JD '26)  
**Kaidi Dai** ('24)  
**Amira Dehmani** ('24)  
**Evan Engel** (JD '24)  
**Tanvi Kohli** (JD '26)  
**Emily Olick Llano** (MA '24)  
**Nicholas Mullins** ('24)  
**Imani Nokuri** (JD '25)  
**Arundathi Nair** ('24)  
**Carolina Nazario** ('24)  
**Delia Appiah Mensah** (JD '26)  
**Autumn Parrott** ('24)  
**Angela Peña** ('24)  
**Caleb Robinson** ('24)  
**Ariel Salmon** (JD '26)



Stanford Law School  
Stanford Center  
for Racial Justice

Crown Quadrangle  
559 Nathan Abbott Way  
Stanford, CA 94305-8610

[law.stanford.edu/stanford-center-for-racial-justice](http://law.stanford.edu/stanford-center-for-racial-justice)

[scrj@law.stanford.edu](mailto:scrj@law.stanford.edu)